

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael J. Simons, et al

METHOD AND COMPOSITION FOR THE PREPARATION OF A PRINTING PLATE

Serial No. 10/628,639

Filed 28 July 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 2853

Examiner: Manish S. Shah

I hereby certify that this correspondence is being with the United States Posta vice as first class mail in an envelope addressed Commissioner For Patents, P.O. Box 1450,

Date

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

08/05/2005 MWOLDGE1 00000017 050225 10628639

01 FC:1814 130.00 DA

> The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,131,514. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

> In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent hereafter: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has

all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

X The undersigned is an attorney of record. (If this box is not checked do not use this form)

Date

Telephone: 585 722-0452 Facsimile: 585 477-1148

/clb

Chris P. Konkol Attorney of Record Registration No. 30,721

X Please charge the fee to Eastman Kodak Company Deposit
Account 05-0225. (A duplicate copy of this request is enclosed)

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.